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From: CN=Lindy Farrar/OU=DC/O=USEPA/C=US
Sent: Wed 9/26/2012 12:07:56 PM
Subject: Morning Clips

Good morning-Here are today's top stories.

Greenwire: APPROPRIATIONS: Senate panel releases \$29.7B proposal for Interior and EPA
 Washington Post: New test results due from Wyoming gas field where EPA linked fracking, groundwater pollution
 Chicago Tribune: E15 Fuel

Greenwire: APPROPRIATIONS: Senate panel releases \$29.7B proposal for Interior and EPA
 By: Manuel Quinones and Annie Snider

Published: Tuesday, September 25, 2012

The bill, which was released days after Congress passed a continuing resolution keeping the government funded through the end of March, comes as lawmakers return to their districts for the campaign season and aren't expected to rumble over spending for several months.

The bill, which would restore funding to EPA's clean water programs, establish new inspection fees for onshore oil and gas drillers, and designate new wilderness in Montana, among other provisions, will become the basis for negotiations with House lawmakers who in midsummer advanced a markedly

different bill that would cut EPA funding by 17 percent and significantly reduce Interior wildlife, climate change and land acquisition funding (Greenwire, June 28).

The House bill would fund all the agencies at \$28 billion in fiscal 2013, in line with a House budget plan that flouts a bicameral spending agreement reached more than a year ago.

"While Congress has passed a short-term continuing resolution, we hope this final draft document will serve as a roadmap as discussions continue to finalize a responsible, balanced fiscal year 2013 appropriations bill," Sens. Jack Reed (D-R.I.), chairman of the Interior and Environment Appropriations Subcommittee, and Lisa Murkowski (R-Alaska), the panel's ranking member, said in a statement. "We will continue working together, with our colleagues and our House counterparts, to turn this draft into law."

For Interior, the bill would provide \$10.5 billion, a 1.6 percent increase over current funding levels and about \$24 million above the administration's request.

EPA would see a small boost in funding under the bill, which would provide \$8.5 billion, up \$66 million from current funding levels and \$171 million more than the Obama administration's request for fiscal 2013.

It also would provide \$378 million for the Land and Water Conservation Fund, a 17 percent bump over current levels and a significant increase over the House plan, which would cut the program roughly 80 percent.

The nearly 50-year-old program, which uses oil and gas revenues to purchase new public lands and easements to conserve private lands, is a top priority for conservation groups, sportsmen and the Obama administration, which requested \$450 million. Interior

The bill would raise about \$48 million in new inspection fees for oil and gas wells on public lands -- as the president requested -- while mandating new wilderness and logging in Montana and establishing a new \$1 monthly fee to graze livestock on public lands, a proposal likely to rile some Western Republicans. It would also triple the amount of time Interior's Bureau of Ocean Energy Management is allowed to review exploration plans for offshore drilling, a proposal the Obama administration backed after the Deepwater Horizon disaster but one that is strongly opposed by oil-state lawmakers.

The Interior bill would provide \$2.6 billion for the National Park Service, about the same as current funding levels and on par with the administration's request.

The Fish and Wildlife Service, which oversees the nation's wildlife refuges and protection of endangered species, would receive \$1.4 billion, about a \$60 million boost over the administration's request but \$70 million below current levels.

Funding for the North American Wetlands Conservation Act, a key priority for sportsmen and conservation groups, would remain roughly level, as would state and tribal wildlife grants and cooperative endangered species conservation.

The Bureau of Land Management would receive \$1.1 billion, a slight dip below current funding and the president's request.

Alan Rowsome, director of conservation funding for the Wilderness Society, praised the increase in LWCF funding, which he argued will protect national parks, wildlife refuges, battlefields and urban outdoor opportunities.

"As the nation's premier land protection program, LWCF has strong bipartisan support and is a proven economic generator in local communities across the country," he said this morning in an email. "The Senate's recommended level helps put it on a path to fuller, more robust funding."

For the third year in a row, the Senate proposal includes a bill by Sen. Jon Tester (D-Mont.) to designate significant new wilderness and set minimum quotas for restoration logging. The bill enjoys broad support in the state from conservationists, loggers and many state officials but is opposed by some ranchers, off-road vehicle users and miners.

Rep. Denny Rehberg (R-Mont.), who is challenging Tester for his Senate seat, has doggedly opposed the measure and claimed credit for killing it the last time the two chambers met to iron out a spending bill.

The Interior bill also again contains a title to designate a John H. Chafee Blackstone River Valley National Historical Park in Rhode Island and Massachusetts, a key legislative priority of Reed that was stripped from the chamber's 2012 spending bill during negotiations with the House.

The Senate's proposal would cut the Office of Surface Mining's budget, already cash-strapped according to administration leaders, by about \$10 million, from a 2012 appropriation of \$150 million to \$140.6 million. OSM is the country's top coal mining regulator.

However, the draft spending bill would include a small increase -- about \$113,000 -- for the abandoned mine reclamation fund, from a 2012 appropriation of \$27.4 million to more than \$27.5 million.

Absent from the proposal is any effort to block OSM's stream protection rule, Interior's mining limits around the Grand Canyon or a planned merger of various agency functions within that department.
EPA

The bill most sharply parts ways with the administration's proposal when it comes to infrastructure spending assistance to states and tribes, which would receive \$380.9 million more under the bill compared with the Obama budget request.

The bulk of this increase would go to benefit the popular Clean Water State Revolving Fund, which helps states finance upgrades to aging, failing wastewater and drinking water systems. The bill would provide \$1.5 billion for the fund, an increase of \$291 million compared with the administration's request.

The administration drew fire from lawmakers on both sides of the aisle in February when it proposed a combined 15 percent cut to Clean Water and Drinking Water state revolving funds. The bill would provide \$917.9 million for the drinking water fund, up from the \$850 million requested amount (E&E Daily, Feb. 14).

Other grant programs did not fare as well, however. Categorical grant programs would receive a total of just more than \$1 billion in the Senate bill, down 10 percent compared with the president's request.

A few grant programs would see their funding restored. EPA's beach protection program, for example, would be zeroed out in the president's budget but would receive its current funding level of \$9.9 million under the Senate measure. EPA's brownfield grant program would also see a small bump, \$49.3 million compared with \$47.6 million in the budget. But the increase is offset with a cut to brownfield program funding elsewhere in the budget.

The bill expands on cuts the administration had already proposed to EPA's Superfund hazardous waste cleanup program, which would have receive \$33 million less under the budget proposal than last year. The Senate bill would cut \$87.2 million from the program compared with current levels, providing a total of \$1.27 billion.

Obama asked for \$306.9 million for clean air and climate programs, and they would receive \$6 million less than that under the Senate bill. The measure also would trim his request for science at EPA from \$807.3 million to \$798.8 million.

Overall, the Senate bill would provide substantially more funding for EPA than the one put forward by House appropriators, which would cut EPA funding 17 percent -- dropping it to spending levels last seen in 1998. The House bill would provide \$7 billion for EPA, a frequent target of GOP criticism. The chamber's bill, which has cleared the House Appropriations Committee but has not received a vote on the floor, includes numerous policy riders that would bar EPA from regulating greenhouse gases, mercury and other emissions.

Correction: A previous version of this story misstated the amount of funding the Senate bill would provide for EPA's Superfund hazardous waste cleanup program.

Washington Post: New test results due from Wyoming gas field where EPA linked fracking, groundwater pollution
By:Associated Press

Published: Wednesday, September 26, 2012

The new USGS data comes from samples taken in April from one of the test wells near Pavillion in central Wyoming. The other test well didn't produce enough water to yield samples deemed large enough to test.

Hydraulic fracturing, or "fracking," is the petroleum industry practice of pumping water, sand and chemicals down well bores to crack open fissures and boost the flow of oil and gas.

Environmental groups have sounded the alarm about fracking for years — but with few, if any, examples of verified pollution. Petroleum industry officials say the lack of verified pollution, out of many thousands of wells fracked in the U.S. over the past few decades, proves the process is safe.

The U.S. Environmental Protection Agency, Wyoming, the USGS and two American Indian tribes collaborated on the latest sampling, which followed previous testing done solely by the EPA.

The EPA theorized a fracking-pollution link in a draft report released in December. The report drew heavy skepticism from petroleum industry and state officials, including Gov. Matt Mead, who characterized the finding as a flimsy one.

Wyoming officials — whom the EPA briefed on its findings more than a month ahead of the report's release — also grumbled that the EPA hadn't kept them in the loop about what the federal agency was up to during the previous testing.

"Gov. Mead felt that this process was an improvement on how the first draft report from the EPA was done. It was more transparent. The team had input throughout the process," Mead spokesman Renny MacKay said Tuesday.

Even so, the EPA plans to post its own data separately on Wednesday or possibly later, EPA Region 8 spokesman Rich Mylott said.

"All EPA data have gone through the agency's quality assurance process," Mylott said by email.

Testing by the EPA this past spring included new samples from five domestic water wells in the Pavillion area. That sampling happened outside the collaborative process.

One person each from the EPA, the Wyoming Department of Environmental Quality, and the Northern Arapaho and Eastern Shoshone tribes on the Wind River Indian Reservation near Pavillion peer-reviewed the collaborative data, according to MacKay.

A full peer review of the sampling and findings to date will occur later.

MacKay said Mead wants "science and a good process" to guide any new findings.

"The governor's position has always been he wants this investigation to play out and whatever it finds, you move on from there," he said.

Chicago Tribune: E15 Fuel
By: Charles Drevna

Published: Tuesday September 25, 2012

The Renewable Fuel Standard, established by Congress in 2005 and administered by the Environmental Protection Agency, requires that more and more ethanol be blended into the U.S. gasoline supply each year.

While the RFS was a misguided policy when enacted by Congress, the EPA has made the flawed law worse. The agency approved the use of E15 for only certain vehicles this year in an attempt to help facilitate the goals of the RFS. This hasty introduction of higher ethanol-laced fuels into a marketplace not yet ready for such a product will usher in a litany of problems for consumers.

A recent Coordinating Research Council study found that one in four vehicles approved by the EPA to run on E15 experienced engine damage or total failure when running on the fuel. Some automakers are advising new car buyers that if they use E15, their vehicle warranties will be voided. Consumers who unwittingly fill up on E15 will have to foot the bill for engine damage brought on by ethanol use.

What's more, mid-level ethanol blends like E15 are not safe for use in small engines, including those in leaf blowers, lawn-mowers, boats and motorcycles.

And because ethanol contains just 67 percent of the energy found in traditional gasoline, more ethanol entering the fuel supply

means consumers are getting less bang for their buck and can expect to make more trips to the gas station.

The EPA's decision to introduce E15 into the market was made without the establishment of proper consumer-protection measures. Congress must readdress the overall RFS, which will essentially mandate higher ethanol blends like E15 in the future, with consideration for how the policy impacts consumers.